



Old world new times: exploring contested language in a post conflict society

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Old Word New Times

Exploring contested language
in a post-conflict society



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Introduction

This policy brief draws on the findings of a research project that explored and interrogated the language used in connection to violence, paramilitarism and the law in Northern Ireland. It identifies the ways by which terminology continues to convey distinct and conflicting understandings of goals, methods and measurement relating to lawfulness; and looks to establish, with greater clarity, the possibilities for shared language around issues connected with violence and the rule of law. The evidence is drawn from seven focus groups with serving PSNI officers; ex-combatants from both Loyalist and Republican communities; young people; representatives of civil society, and four interviews with members of both online and print media conducted in 2017.

The context

The deep roots of political and community division in Northern Ireland society have been directly reflected in differences over language, most acutely in relation to the use of violence and the enforcement of the rule of law. Division has been both political and moral, and the language chosen has often been similarly deliberate and partisan, designed to convey specific moral and political meanings surrounding force and language. The recent NI Executive response¹ to the Paramilitary Panel² recommendations in 2016 set out a series of actions to address the negative and harmful impact of the culture of paramilitarism within and between communities. In practice, the panel acknowledged that 22 years after the ceasefires the influence of paramilitarism remains a lived reality for many people. The primary goal of that Action Plan was to plot a pathway towards establishing a culture of lawfulness and eroding any residual support for action outside the rule of law.

However, any agreement on a new approach to 'paramilitarism' leading to a definitive end to all tolerance of extra-legal activity, inevitably surfaces the need for shared terminology and language to ensure coherent processes, goals and monitoring. In practice, many of our terms (conflict, war, prisoner, combatant, victim, dissident, paramilitary, terrorist, brigadier, security situation, organised crime, Loyalist, republican, punishment) remain laden with different meaning and expectations in various communities and settings, and continue to reflect assumptions rooted in conflict rather than lawfulness. This perpetuates not only words but also embedded and divergent attitudes and behaviours. Therefore, it is crucial that society has a common understanding of what terms and words mean, and recognises the sensitivities and potential impact of using an old language in a new political setting.

1. <https://www.northernireland.gov.uk/publications/tackling-paramilitary-activity-criminality-and-organised-crime-executive-action-plan>

2. <https://www.northernireland.gov.uk/publications/fresh-start-panel-report-disbandment-paramilitary-groups-northern-ireland>



Observations

Overall, the analysis of the data suggests that large sections of society continue to rely upon 'words, terms and phrases' derived from the 1970s and 80s when talking about current behaviours and activities. Furthermore, our collective inability to reach any consensus on historical events has meant that our language conveys only partially hidden meanings that inevitably antagonise various constituencies and reinforce division in the present. The key findings note the following:

1. Currently, language that refers to violence outside the law, language about the use of legal force, and terms around protagonists remains heavily influenced by approaches to conflict that were normalised prior to 1998. In contrast, the modern language of international terrorism and political violence such as 'radicalisation, extremism and violent extremism' is not commonly applied to Northern Ireland, even though the local behaviours and activities fit the recognised definitions.
2. Prior to the ceasefires in 1994 and the Belfast/Good Friday Agreement (the Agreement) in 1998, a number of organisations claimed direct political or community legitimacy for their use of violence and choice of targets. While legitimacy was always strongly resisted in domestic or international law, there was also regular evidence of embedded community support for elements of this narrative. Many formally or informally acceded to the view of the violence being a 'conflict' or 'war', where violence was justified or explicable in terms of unusual circumstances, rather than 'terrorism' or 'criminality'. The language of 'ceasefires' and 'talks' tended to support this narrative of conflict, not crime. Since 1998, describing the period between 1969 and 1998 as 'the conflict' stemming from this analysis has become almost orthodox in many circles and now appears to go largely unchallenged in public discourse.
3. There was an overwhelming sense that the transformation to a society based exclusively on the rule of law remains incomplete. The willingness to provide cover for change which has not been completed, appears to have led to a degree of cynicism about all language associated with this area of conflict transformation. For example, the prison system continues to support a form of special status for some prisoners claiming political motivation. Furthermore, the term 'political prisoner' has become embedded within society and rarely challenged. The culture of some neighbourhoods appears to tolerate, or at least normalise, the presence of organised groups using violence, and processes continue to exist that verify and indirectly legitimise paramilitary threats and intimidation. In addition, the media appear to constantly change their description of individuals, especially in relation to the past i.e. heroes and villains can often be the same person, paramilitaries at night and community leaders/activists during the day. It was felt that this process has gone so far in Northern Ireland that all words have become suspect and there is no person/organisation with the authority and capacity to enforce consistency. Inevitably, this means that it can be impossible for some individuals to have a future if they are consistently being framed by their historical actions and behaviours.





4. Since 1998 the vast majority of those who had supported the use of violence also signed up to the Agreement and its central requirement that only democratic means were legitimate in relation to political disagreement. Indeed, this was a prior condition for qualification for early release from prison. In theory, at least, the Agreement was an absolute watershed in relation to violence in politics in Northern Ireland. Anyone subsequently using, threatening or legitimising violence for political means is by definition outside the framework that was agreed by signatory governments, international supporters and all significant political parties in Northern Ireland, as well as being explicitly and unambiguously agreed to by the 'former' paramilitary organisations and their members themselves. All violence, whether for political ends or for non-political ends, is by definition crime.

However, in practice this unambiguous political, legal and diplomatic change has NOT been translated into the everyday language or speech of politicians, governments, communities or media. The political preference in Northern Ireland since the Belfast Agreement was for gradualism and negotiated change rather than confrontation and enforcement as the route to effective transformation. Yet twenty years on, the language of paramilitaries and violent action appears still continuous with the pre-1998 era. No linguistic or status watershed is visible. Although the language of 'terrorism' and 'terrorist' is less frequently applied, organisations claiming continuity with campaigns in the past continue to be routinely referred to as 'loyalist', 'republican', 'paramilitary' or 'dissident' when they use violence, implying a continuing tradition, in which the commitment to purely political means was somehow qualified, temporary, individual or ambivalent.

5. Prior to 1998, the role of the state was openly contested in daily political discourse in Northern Ireland. This disjunction between formal official language and terms in common use was reflected in the media, where terms could and were sometimes used interchangeably or loosely at times. As a result, every term around legitimacy was contested at popular level including troubles/conflict/war and terrorism/paramilitarism/soldier. The role of the army and security forces was also directly contested in politics.

In 1998, those parties that signed the Good Friday Agreement made a "total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and our opposition to any use or threat of force by others for any political purpose, whether in regard to this agreement or otherwise." This political watershed, and the practical steps which resulted from it, represented the formal end of any residual political tolerance for violence and a new consensus on constitutional means.

However, while there is a very broad political consensus that all subsequent violence had no legitimacy, the issue of violence in the past and what constituted legitimacy in the pursuit of political causes remains contentious to say the least. In 2018, this has led to a very high degree of public sensitivity about language, which is designed to protect political approaches to violence in the past (and momentum in the peace process) and this political imperative has continued to impact on approaches to contemporary language.





There does not appear to be any agreement on who is meant by many terms: there are occasions when people argue that a loyalist paramilitary was an honourable term for a specific type of fighter, while others contend that Republicans were not paramilitaries but soldiers, equivalent to British soldiers. Still others maintain that all were a form of terrorism. Defining exactly who is meant by 'paramilitaries', who is eligible or should be supported for change and what kind of change is expected of people and communities will be important for any policy of intervention. Does policy to address paramilitarism apply to those engaged in terrorist activities, or simply those that maintain power through crime and community coercion? The absence of clarity and consistency leads to ambiguity and confusion around what exactly government policy is in relation to violence and armed groups.

6. The 'peace process' has proceeded for over twenty years without any process on what is euphemistically but universally referred to as 'the past' – violence and its consequences between 1969 and 1998. Each political party and their constituency have their own clear approach to this issue, but it has proved impossible to make progress towards a societal consensus. Political groups and movements appear to insist on respect for their own actions or to defend those of their 'side', and on condemnation of violence by the other 'side'. All political parties have so far failed to develop agreed and consistent language about violence in the present, which continues to hinder their ability to address issues of the past.

Political and community groups remain highly sensitive to anything which appears to decisively define a public approach to violence in this period i.e. recasting paramilitary or dissident action in the form of 'punishment' assaults and shootings as child abuse; or attacks on the PSNI as attempted murder. In seeking to avoid disagreements over the legitimacy of past violence impacting on political progress, there appears to have been an informal political consensus to accept that this issue cannot be resolved. Each party actively adopts contradictory narratives and language about past violence, thereby fuelling ambiguity about aspects of violence in the present. The signals coming from politics about 'paramilitarism', 'punishment' and 'intimidation' has remained inconsistent, partisan and ambiguous, and the appetite to directly confront it appears weak. There has been no clear programme of decisive action to resolve this linguistic ambiguity, nor any clear pathway on how this might be achieved.

7. In spite of the Agreement and peace process, public language continues to reflect deeply embedded partisan commitments. Great variation in meaning around words is evident, and each political/community group continues to define their own legitimacy framework. There does not appear to have been a serious political effort to close this loop since 1998. As a consequence, there is no consistent or uniform message about the legitimacy of certain types of violence, and some aspects appear to be treated as 'distinct' from crime in the normal sense. This makes language for measurement of progress difficult, as the nature of 'progress' is itself contested, creating significant challenges for policies such as a 'Fresh Start'³. As a result, the media use language in relation to communities loosely and without any agreed or established framework.

3. <https://www.gov.uk/government/news/a-fresh-start-for-northern-ireland>

8. Young people growing up since the Agreement appear to have adopted some of the language of the past while at the same time there is evidence that they no longer identify with its content. Accordingly, simplified narratives of the past are accepted, including received political narratives about paramilitaries, conflict and the necessity of political struggle. As a result, much of this is taken for granted. At the same time there is evidence that young people regard aspects of the behaviour of paramilitaries and violent dissidents (assuming they are different to paramilitaries) as essentially linked to criminality and community control rather than politics and ideological positions. One of the most telling insights is that discussions around terrorism, radicalism and extremism are associated with contemporary international politics rather than Northern Irish affairs.
9. The language around enforcement remains contested and public confidence in the ability of the state to enforce the rule of law around some issues appears to be fragile. Historically, the PSNI has been keen to avoid enforcement 'against' a community, seeking instead to act 'in support of' a community. However, the police continue to be treated as outsiders in some areas and what was once assumed to be a path to increased public confidence in the organisation has failed in some areas. Within particular communities there is ambiguity around the concept of the rule of law, and competing views on who has responsibility for addressing community concerns around criminality and public disorder.
10. There is no definition of paramilitarism, and in 2018 many sections of society continues to be wedded to terms such as 'brigadier, company, and unit' and often views their behaviours and actions through the lens of a balaclava and gun. Yet the evidence suggests that current day paramilitarism is much more complex. Furthermore, words such as 'terrorist, paramilitary and organised criminal' are used interchangeably, without clearly identifying what is meant. Although both the context and environment are different society remains constricted by its historical understanding of why these organisations exist. There is a danger that applying the conflict language twenty years after the Agreement provides both a rationale and legitimacy for their actions.





Recommendations

Following the analysis it became apparent that there were several areas of consideration that may address the language conundrum of the peace process:

a. The goal of the Agreement was to remove all residual glamour, continuity and legitimacy from violence. However, this has not been uniformly achieved and it is not clear that unilateral action by one 'party' can resolve this. There is a need to stimulate civic as well as political discussions about what language is appropriate in relation to the contentious elements of violence. The creation of a shared ethical framework might create consistency and mutual accountability moving forward.

b. Adhering to the rule of law means that justification for violence or enforcement outside the law has been removed. New language describing violence should privilege the victim over the perpetrator and remove any justification for the act. The essential measure of change is from language, which is focussed on motive (cause or purpose), to language, which emphasises consequence i.e. from punishment to injury, from war to crime or from rationale to trauma.

c. Government policy dealing with post-conflict issues, above all 'Fresh Start' and 'Together: Building a United Community' needs clear terms and definitions through which its purpose, areas of activity and outcomes can be measured. All activity must be explicitly aimed at underpinning the unconditional commitment of all parties in Northern Ireland to the rule of law. Failure to establish and apply clear terms will fuel cynicism and undermine the credibility of new programmes and initiatives.

d. Unless all parties sign up to a clarification of terms, the unmistakable prospect is of the continuity of partisan language, ambiguity and inconsistency. There is no prospect of government successfully enforcing language without wider consensus and participation in the process, but the research suggests that failure to clarify terms is continuing a spurious legitimacy for organisations shaped by violence, by affording it a continuing political motivation.

e. Under the work of the Independent Reporting Commission there may be an opportunity to explore the role and function of language in relation to conflict issues, especially around measuring interventions to disband paramilitarism.

f. Thought should be given to the development of a linguistic campaign with a number of dimensions:

- *There should be a clear public strategy of transition, which is removing the legitimacy from violence and removing words such as paramilitary or punishment beating from normalised vocabulary. This should divide between legitimate behaviour and organised crime or gangsterism. This should be fronted by all of the political parties, statutory agencies and the wider criminal justice system;*
- *A shared ethical framework for engagement should be established and applied to all agencies, including the police;*
- *Behaviours such as attacks on children and the person should be referred to by criminal names in communications;*
- *The flag of convenience around paramilitarism or paramilitary-style should be avoided in communications.*

